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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

**ADIDAS AMERICA, INC.**, a Delaware  
corporation,

Plaintiff and Counterclaim  
Defendant,

v.

**MICHAEL D. CALMESE**, a resident of  
Arizona,

Defendant and  
Counterclaimant.

No. CV08-0091 BR

**FINAL JUDGMENT**

In accordance with the Order on Plaintiff's Motion for Summary Judgment entered on October 9, 2009 (Docket No. 136) and the Verdict, Findings of Fact, and Conclusions of Law entered on November 19, 2010 (Docket No. 267), the Court hereby enters Final Judgment in this matter as follows:

Judgment is entered in Plaintiff's favor as to Plaintiff's First Cause of Action for a declaration of non-infringement;

Judgment is entered in Plaintiff's favor as to Plaintiff's Second Cause of Action for a declaration of non-false designation of origin;

Judgment is entered in Defendant's favor as to Plaintiff's Third Cause of Action for cancellation of registered trademark;

Judgment is entered in Plaintiff's favor as to Defendant's First Counterclaim for trademark infringement; and

Judgment is entered in Plaintiff's favor as to Defendant's Second Counterclaim for violations of the Oregon Unlawful Trade Practices Act.

The Court retains jurisdiction to determine the issues of entitlement to attorneys' fees and costs.

IT IS SO ORDERED.

Dated: December 14, 2010.



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Honorable Anna J. Brown  
United States District Judge